



State Senator
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PROPOSAL 06-5

OFFICIAL BALLOT PROPOSAL LANGUAGE

A LEGISLATIVE INITIATIVE TO ESTABLISH MANDATORY SCHOOL FUNDING LEVELS

The proposed law would:

- ★ Increase current funding by approximately \$565 million and require State to provide annual funding increases equal to the rate of inflation for public schools, intermediate school districts, community colleges, and higher education (includes state universities and financial aid/grant programs).
- ★ Require State to fund any deficiencies from General Fund.
- ★ Base funding for school districts with a declining enrollment on three-year student enrollment average.
- ★ Reduce and cap retirement fund contribution paid by public schools, community colleges and state universities; shift remaining portion to state.
- ★ Reduce funding gap between school districts receiving basic per-pupil foundation allowance and those receiving maximum foundation allowance.

Should this proposed law be approved? ☐ Yes ☐ No

People Voting YES Argue That:

Michigan needs to guarantee funding for schools if we want our kids to compete in the global economy. Our K-16 educational system should have more funding to keep pace with rising operating costs. This measure is necessary to address any revenue shortfalls in our educational system and to prevent underfunding from happening. It also provides an equal opportunity for all students by softening the revenue loss for schools with declining enrollments and narrowing the funding gap among school districts' per-pupil foundation allowance.

People Voting NO Argue That:

The immediate cost to the state would be \$565 million above the current budget. Regardless of Michigan's economy, the state also would be required to increase K-16 funding at the rate of inflation with no guarantee that any additional money would be spent in the classroom educating children. It also increases the state share of funding for rapidly growing K-16 retirement costs. This new state liability would result in either a substantial tax hike or cuts in other vital state programs, such as homeland protection, public safety, health care, job creation and services to the poor. There is no means of accountability that the new spending results in higher academic achievement.

*These five issues will be on the
 November 7, 2006 General Election Ballot.*

SENATOR BOB EMERSON

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2006 GENERAL ELECTION STATEWIDE BALLOT PROPOSALS



State Senator **BOB EMERSON**

Dear Voter:

At the November 7 general election, you will have a chance to play an important role in establishing Michigan public policy. Not only will you have the opportunity to select candidates in the party of your choice, but also five statewide ballot proposals will be presented for your consideration.

This newsletter contains information to help familiarize you with the pros and cons of these five proposals. Included is the actual language that will appear on the ballot along with brief analyses of the important issues at hand. The analyses do not necessarily reflect my views. The intent is to bring you the strongest arguments for and against each proposal so you can make an informed decision on these issues.

I hope that you find this information to be of value. Please do not hesitate to contact me if I can be of further service to you.

Sincerely,

Bob Emerson
 State Senator

Serving the 27th District

CONTACT INFORMATION

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PROPOSAL 06-1

OFFICIAL BALLOT PROPOSAL LANGUAGE

A PROPOSED CONSTITUTIONAL AMENDMENT TO REQUIRE THAT MONEY HELD IN CONSERVATION AND RECREATION FUNDS CAN ONLY BE USED FOR THEIR INTENDED PURPOSES

The proposed constitutional amendment would:

- ★ Create a Conservation and Recreation Legacy Fund within the Constitution and establish existing conservation and recreation accounts as components of the fund.
- ★ Use current funding sources such as state park entrance and camping fees; snowmobile, ORV and boating registration fees; hunting and fishing license fees; taxes and other revenues to fund accounts.
- ★ Establish the current Game and Fish Protection Fund and the Nongame Fish and Wildlife Fund within the Constitution.
- ★ Provide that money held in Funds can only be used for specific purposes related to conservation and recreation and cannot be used for any purpose other than those intended.

Should this proposal be adopted? ☐ Yes ☐ No

People Voting YES Argue That:

This amendment is necessary to require that dollars deposited in the proposed Fund are spent for the legally specified conservation and recreation purposes, and not diverted to some other unrelated programs, as has happened in the past. This constitutional protection is needed to maintain the trust of the citizens who pay their fees into the new Fund, and to ensure that the designated resource is properly maintained.

People Voting NO Argue That:

This would unreasonably restrict the government’s ability in case of an emergency to adequately fund higher priority, vital state programs such as education, homeland protection, police, firefighters, health care, job creation, and services to the poor. This proposed restriction is unnecessary, since money was diverted from these funds only once over the past few years, despite the state’s severe financial crisis.

PROPOSAL 06-2

OFFICIAL BALLOT PROPOSAL LANGUAGE

A PROPOSAL TO AMEND THE STATE CONSTITUTION TO BAN AFFIRMATIVE ACTION PROGRAMS THAT GIVE PREFERENTIAL TREATMENT TO GROUPS OR INDIVIDUALS BASED ON THEIR RACE, GENDER, COLOR, ETHNICITY OR NATIONAL ORIGIN FOR PUBLIC EMPLOYMENT, EDUCATION OR CONTRACTING PURPOSES

The proposed constitutional amendment would:

- ★ Ban public institutions from using affirmative action programs that give preferential treatment to groups or individuals based on their race, gender, color, ethnicity or national origin for public employment, education or contracting purposes. Public institutions affected by the proposal include state government, local governments, public colleges and universities, community colleges and school districts.
- ★ Prohibit public institutions from discriminating against groups or individuals due to their gender, ethnicity, race, color or national origin. (A separate provision of the state constitution already prohibits discrimination on the basis of race, color or national origin.)

Should this proposal be adopted? ☐ Yes ☐ No

People Voting YES Argue That:

It is needed so that applicants for public employment, contracts and higher education opportunities would be judged on their individual merit, not on their race or gender. This is the pathway to a colorblind society where everyone competes on a level playing field. Affirmative action programs would not be banned in all circumstances because socio-economic and geographic factors would still be considered when determining public hiring and admission procedures.

People Voting NO Argue That:

This changes our Constitution to outlaw affirmative action for women and minorities in Michigan. This would result in fewer opportunities for women and minorities and would roll back many of the gains that they have achieved. Affirmative action programs attempt to address the unfair disadvantage that minorities and women face in our society. This proposal would ban programs and policies that increase diversity in our public workplaces and educational institutions, which benefit all people in our state.

PROPOSAL 06-3

OFFICIAL BALLOT PROPOSAL LANGUAGE

A REFERENDUM ON PUBLIC ACT 160 OF 2004 – AN ACT TO ALLOW THE ESTABLISHMENT OF A HUNTING SEASON FOR MOURNING DOVES

Public Act 160 of 2004 would:

- ★ Authorize the Natural Resources Commission to establish a hunting season for mourning doves.
- ★ Require a mourning dove hunter to have a small game license and a \$2.00 mourning dove stamp.
- ★ Stipulate that revenue from the stamp must be split evenly between the Game and Fish Protection Fund and the Fish and Wildlife Trust Fund.
- ★ Require the Department of Natural Resources to address responsible mourning dove hunting; management practices for the propagation of mourning doves; and participation in mourning dove hunting by youth, the elderly and the disabled in the Department’s annual hunting guide.

Should this law be approved? ☐ Yes ☐ No

People Voting YES Argue That:

A “YES” vote would allow mourning dove hunting, which is currently allowed in 41 other states (including all of those bordering Michigan). Dove hunting would bring additional tourism revenue to the state. Mourning doves are the most abundant game bird in the U.S. The federal government permits states to set hunting seasons within a scientific framework designed to ensure a healthy, abundant dove population each year.

People Voting NO Argue That:

A “NO” vote would ban mourning dove hunting. Doves, the universal sign of peace, should not be hunted, thereby continuing Michigan’s 100-year tradition of protecting mourning doves. The impact on the dove population by allowing hunting in Michigan is unclear. Doves are not overpopulated, do not cause harm to people or property, and are shot primarily for live target practice as there is little meat on them.

PROPOSAL 06-4

OFFICIAL BALLOT PROPOSAL LANGUAGE

A PROPOSED CONSTITUTIONAL AMENDMENT TO PROHIBIT GOVERNMENT FROM TAKING PRIVATE PROPERTY BY EMINENT DOMAIN FOR CERTAIN PRIVATE PURPOSES

The proposed constitutional amendment would:

- ★ Prohibit government from taking private property for transfer to another private individual or business for purposes of economic development or increasing tax revenue.
- ★ Provide that if an individual’s principal residence is taken by government for public use, the individual must be paid at least 125% of property’s fair market value.
- ★ Require government that takes a private property to demonstrate that the taking is for a public use; if taken to eliminate blight, require a higher standard of proof to demonstrate that the taking of that property is for a public use.
- ★ Preserve existing rights of property owners.

Should this proposal be adopted? ☐ Yes ☐ No

People Voting YES Argue That:

This proposal responds to a recent U.S. Supreme Court decision by prohibiting state and local governments from seizing private property for general economic development or tax revenue enhancement. It also would preserve existing Michigan property owners’ rights by specifically placing them in the state Constitution. It shifts the burden of proof in a condemnation action from the landowner and places it on the governmental agency to prove that the taking of property is for a public use. It also requires the payment of 125% of fair market value if a person’s principal residence is taken.

People Voting NO Argue That:

This proposal goes far beyond addressing the concerns about eminent domain raised by a recent U.S. Supreme Court decision and deals with a number of other condemnation issues not impacted by that case. Michigan courts already recognize many of these landowners’ rights. Michigan needs to be able to condemn blighted urban areas to assist in rebuilding and revitalizing core communities. However, this proposal makes it difficult for a government to condemn a truly blighted area by imposing an extremely high burden of proof on the condemning agency to show the property is blighted.